Customer No.: 31561
Application No.: 10/711,236
Docket No.: 11699-US-PA

REMARKS

Present Status of the Application

The Office Action rejected all presently-pending claims 1-11. Specifically, the Office Action rejected claims 1-11 under 35 U.S.C. 103(a) as being unpatentable over Peltzer (US 6,224,778 hereinafter "Peltzer").

Applicant has amended claims 1 and 8 to more clearly define the present invention. Specifically, Applicant has been added the features of claims 2 and 3 to claim 1, on which it depends, and added the features of claims 10 and 11 to claim 8, on which it depends, thus claims 2, 3, 10 and 11 has been cancelled accordingly. Applicant has amended claims 4, 5 and 9 to render it define clearly. The amended claims are fully supported by the specification. After entry of the foregoing amendments, claims 1, 4-7 and 8-9 remain pending in the present invention, and reconsideration of those claims is respectfully requested.

Rejections under 35 U.S.C. 103

The Office Action rejected claims 1-11 under 35 U.S.C. 103(a) as being unpatentable over Peltzer.

The present invention is in general related to an apparatus of measuring wastewater concentration as currently amended in claim 1, which recites:

Claim 1. An apparatus of measuring wastewater concentration for determining discharge rate of wastewater from a wastewater-collecting tank, the apparatus comprising:

a mixing tank, having a first pipeline, for receiving a certain amount of water and a certain amount of wastewater to form a mixture;

a measuring tank, communicated with the mixing tank via the first pipeline, for receiving the mixture in the measuring tank;

a water supply unit having a second pipeline, wherein the water supply unit is communicated with the mixing tank via the second pipeline, for supplying the certain amount of water to the mixing tank;

a wastewater supply unit having a third pipeline, wherein the wastewater supply unit is communicated with the mixing tank via the third pipeline and is communicated with the wastewater-collecting tank for receiving and supplying the certain amount of wastewater to the mixing tank;

a concentration detector, located in the measuring tank, for measuring concentration of the mixture in the measuring tank;

a pH detector, located in the measuring tank, for measuring the pH value of the mixture in the measuring tank;

a pH-adjusting reagent supply unit, having a fourth pipeline and is communicated with the measuring tank via the fourth pipeline, for providing a pH-adjusting reagent via the fourth pipeline to neutralize the mixture in the measuring tank, wherein if the pH value of the mixture is not between 5 and 9, the pH-adjusting reagent is added into the mixture to adjust the pH value;

for calculating a real concentration of the wastewater in the wastewater-collecting tank and then determining a discharge rate of the wastewater from the wastewater-collecting tank;

wherein if the pH value of the first mixture is not between 5 and 9, a pH-adjusting reagent is added into the first mixture to adjust the pH value, and the first mixture is discharged thereafter. (Emphasis added)

For similar foregoing reasons, Applicant submits the claimed method features of "**measuring ... a pH value of the first mixture by using a pH-adjusting reagent supply unit ... wherein if the pH value of the first mixture is not between 5 and 9, a pH-adjusting reagent is added into the first mixture to adjust the pH value, and the first mixture is discharged thereafter**" is neither taught, disclosed nor suggested by Peltzer or any of the other cited references, taken alone or in combination, and thus should be allowed, then its dependent claim 9 should also be allowed as a matter of law.

a controller, connected electronically with the water supply unit, the wastewater supply unit and the concentration detector, respectively; for determining the certain amount of water and the certain amount of wastewater, and controlling the concentration detector; and

a monitor, connected electronically with the controller, for displaying operating status of the water supply unit, the wastewater supply unit, and the concentration detector. (Emphasis added)

In response to the rejections thereto, Applicant hereby otherwise traverse this rejection. As such, Applicant submits that the present invention, as currently amended in claim 1 is neither taught, disclosed nor suggested by Peltzer or any of the other cited references, taken alone or in combination, and thus should be allowed.

Firstly, Applicant submits the features of the concentration detector, as currently amended in claim 1, does not disclose in Peltzer. Examiner asserts "the concentration detector is the fluid conductivity sensor 64/244" as presented in page 2 of the current Office Action. Applicant respectfully disagrees with the Office's contention. **The concentration detector of the present invention is located in the measuring tank to measure concentration of the mixture in the measuring tank**, as recited at paragraph 34 in present invention specification, but **the fluid conductivity sensor 64/244 of Peltzer is installed in third conduit 18/218** intermediate third flowmeter 44 and third valve 24 **to measure the TDS in the treated water discharged from mixing reservoir 12**, as disclosed at column 6, lines 61 to 64 in Peltzer specification, so in accordance with above analysis can clearly understand the concentration

detector as currently amended in claim 1 is not the fluid conductivity sensor 64/244 in Peltzer.

Furthermore, Applicant submits the features of the pH-adjusting reagent supply unit, as currently amended in claim 1, either does not disclose in Peltzer. The pH-adjusting reagent supply unit having a fourth pipeline and is communicated with the measuring tank via the fourth pipeline, for **providing a pH-adjusting reagent via the fourth pipeline to neutralize the mixture in the measuring tank, wherein if the pH value of the mixture is not between 5 and 9, the pH-adjusting reagent is added into the mixture to adjust the pH value**. However, Peltzer does not clearly teach, disclose or suggest those features. Therefore, in accordance with at least two above reasons, the currently amended in claim 1 is neither taught, disclosed nor suggested by Peltzer or any of the other cited references, taken alone or in combination, and thus should be allowed. Its dependent claims 4-7 should also be allowed as a matter of law.

The present invention is in general related to a method of measuring wastewater concentration as currently amended in claim 8, which recites:

Claim 8. A method of measuring wastewater concentration for determining a discharge rate of wastewater from a wastewater-collecting tank, the method comprising steps of:

taking a certain amount of the wastewater from a wastewater-collecting tank to be diluted with a certain amount of water so as to obtain a first mixture; and

measuring a concentration of the first mixture by using a concentration detector and a **pH value of the first mixture by using a pH-adjusting reagent supply unit**, simultaneously,

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, 4-7 and 8-9 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

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